

SF FILE NUMBER

3.13

ADMINISTRATIVE RECORD

0010438



BURLINGTON NORTHERN RAILROAD

April 17, 1985

EMPLOYEE RELATIONS
3000 Continental Plaza
777 Main Street
Fort Worth, Texas 76102

Mr. Eric Finke
U.S. Environmental Protection Agency
Region 8, Montana Office
Federal Building
301 South Park, Drawer 10096
Helena, Montana 59626

Dear Eric:

This is in reference to access to the swamp area at Somers, Montana. As we have previously discussed, the Burlington Northern Railroad has been negotiating with Mr. Neil Sliter concerning the purchase of the property on which part of the swamp area is located.

Our negotiations have reached an impasse. A local independent appraiser valued the property at \$13,000. Our most recent offer for the 6.5 acres was \$25,000. I am attaching Mr. Sliter's response for your reference. Mr. Sliter's proposals involve cash payments and/or exchanges of property having an estimated value in excess of \$500,000. We do not believe, at this point, we can resolve the matter with Mr. Sliter.

Mr. Sliter's response indicates that the swamp containing creosote is the principle reason the property cannot be developed. In reality, the property is almost entirely within the One Hundred Year Flood Plain which restricts the adjustment of elevations within the designated area.

Please note paragraph two, page two. It appears that any future access to Mr. Sliter's property will be conditioned upon acceptance of one of their foregoing options or counter-proposals. We believe that our offer of \$25,000 is more than reasonable and cannot be increased.

For any future work to occur, access to this property is a necessity. We are seeking any relief the U.S. Environmental Protection Agency can provide to ensure the Burlington Northern access to continue our work at this site.

Sincerely,

Bernard T. Noonan
Manager Compensation & Org. Planning
Human Resources Department

cc: Mr. M. L. Burda
Mr. D. L. Schmidt
Mr. Tom Spence
Mr. D. L. Thomas, P.O. Box 156, Somers, MT 59932
Mr. John Ryan, ERT, 1716 Heath Parkway, Ft. Collins, CO 80521

3029ap1785000002d07

APR 22 1985